

REMARKS

The application was originally filed with claims 1-20. In response to an election requirement claims 1-14 were elected for prosecution without traverse. Applicant acknowledges that claims 15-20 are withdrawn. In the current response, claims 1 and 7 have been amended, and new claims 21-26 were added. Accordingly, claims 1-14 and 21-26 are pending and at issue.

Response to the §102 rejections

Claims 1, 4 and 7-11 were rejected under §102 as anticipated by U.S. Patent 4,964,432 ("Chou"). Applicant respectfully submits that *Chou* fails to disclose each and every element of the amended claims and, therefore, fails to anticipate independent claims 1 and 7.¹

Claim 1 as amended recites "a substantially cylindrical housing adapted to be removably secured to a portion of the valve stem disposed between the valve plug and the packing box of the sliding stem valve." Similarly, claim 7 as amended recites "a sleeve removably mounted to a portion of the valve stem disposed between the valve plug and the packing." *Chou* fails to disclose such elements.

Instead, *Chou* discloses a valve having a housing (32) that is screwed into a body (12). The housing (32) includes packing rings (32), an area for receiving the packing rings (32), and a stem 46 having a valve member (62) at an end thereof. A split connector (76) fits about a frustoconical section (56) of the stem (46), and a retainer sleeve (84) fits about the connector (76) to hold the two halves of the connector (76) on the stem. The split connector (76) and retainer sleeve (84), cited in the Office Action as responsive to the sleeve and cylindrical housing of the claims, are positioned inside the valve member.

Consequently, in contrast to the present application, *Chou* does not disclose a sleeve or removal device removeably secured to a portion of a valve stem of a sliding stem valve disposed between a valve plug and a packing box or packing. Accordingly, the anticipation rejections of claims 1, 4 and 7-11 based on *Chou* must be withdrawn.

¹ "Anticipation under 35 U.S.C. § 102 requires the disclosure in a single piece of prior art of each and every limitation of a claimed invention." *Rockwell International Corp. v. United States*, 47 USPQ2d 1027 (Fed. Cir. 1998).

Response to 35 U.S.C. §103 rejection

Claim 2, and alternatively 1, was rejected under 35 U.S.C. §103 as obvious over *Chou* in view of United States Patent 3,262,673 ("Seeley"), claim 3 was rejected as obvious over *Chou* in view of *Seeley* further in view of United States Patent 4,270,730 ("Hinrichs"), and claims 5-6 and 12-14, and alternatively claims 4 and 11 were rejected as obvious over *Chou* in view of United States Patent 5,788,216 ("Pittman").

The above rejected claims cannot be considered obvious as any combination of these references fails to teach or suggest all of the claimed limitations and, as such, a *prima facie* case of obviousness has not been established.² More specifically, none of the references alone or in combination teach or suggest a sleeve or removal device removeably secured to a portion of a valve stem of a sliding stem valve disposed between a valve plug and a packing box or packing, as is recited in the claims.

The deficiencies of *Chou* are noted above. *Seeley* teaches split sleeve sections (19, 20) that are disposed within a stopper (11), and hence are not disposed between a valve plug and a packing box or packing. *Hinrichs* and *Pittman* similarly fail to disclose or suggest a cylindrical housing or sleeve disposed between a valve member and a packing or packing box. Accordingly, each of the obviousness rejections must be withdrawn.

² "To establish a *prima facie* case of obviousness, ... there must be some suggestion or motivation ... to modify the references or to combine reference teachings ... [, and] the prior art reference (or references when combined) must teach or suggest 'all' the claimed limitations. (Internal quotations added). See MPEP § 2142.

CONCLUSION


In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Additionally, if in the opinion of the Examiner a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300

By:



Matthias Abrell
Reg. No.: 47,377
Attorneys for Applicant